

EXHIBIT 6

Commonwealth of Massachusetts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SUSAN COONEY,
Plaintiff

Exhibits: 88-112

VS

SAYBROOK GRADUATE SCHOOL
AND RESEARCH CENTER, and
MAUREEN O'HARA, Individually,
Defendants

DOCKET NO.
04 11572 JLT

DEPOSITION of **DR. KAREN SCHWARTZ**, a Witness called
by Counsel on behalf of the **Plaintiff**, taken pursuant to the applicable
provisions of the Massachusetts Rules of Civil Procedure, before Arlene
Boyer, a Certified Court Reporter and Notary Public in and for the
Commonwealth of Massachusetts, at the Division of Professional
Licensure, 239 Causeway Street, Boston, Massachusetts, on Friday,
April 28, 2006, commencing at 10:30 a.m.

Accurate Reporting Services

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1 are you referring to?

2 A The Division of Professional Licensure.

3 Q Who at the Division of Professional Licensure, to
4 your knowledge, would maintain control over the
5 interested parties' list?

6 A I am not sure whether it was board counsel or
7 whether it might have been somebody in the office
8 of investigations.

9 Q In 1995, did the board have any regular mailings
10 to graduate programs in psychology?

11 A No.

12 Q Did there come a point in time after '95 where the
13 board was making regular mailings or
14 communications to graduate programs in psychology?

15 A Never.

16 Q If a graduate program in psychology wanted to stay
17 abreast of regulatory changes in Massachusetts
18 affecting psychologists, what would they do?

19 **MS. GARCIA:** Objection.

20 A I don't know.

21 Q I want to turn your attention back to Exhibit 91
22 and ask you to look at Section 3.03, which is on
23 Pages 10 and 11, and tell me when you've finished
24 reviewing that.

1 Q Do you know if it was circulated to schools?

2 A It was definitely not circulated to schools.

3 There are hundreds of doctoral programs across the
4 United States, and the board does not correspond
5 with them.

6 Q You indicated that the January '96 public hearing
7 was attended by many people, including
8 representatives of Union Institute?

9 A Correct.

10 Q Did you have an understanding of how Union
11 Institute came to know about the proposed change?

12 A I had no idea.

13 Q Did you attend the January 12, 1996 public
14 hearing?

15 A Yes, I did.

16 Q Do you recall anyone who attended other than
17 representatives of Union Institute?

18 A I don't recall the full attendee list.

19 Q Do you recall if representatives of Union
20 Institute indicated that they were speaking on
21 behalf of other similar programs?

22 MS. GARCIA: Objection.

23 A I don't recall.

24 Q Do you know if any representatives from Saybrook

1 requirement.

2 Q Are you aware of whether Saybrook was ever
3 informed that its students or its program did not
4 meet the residency requirements?

5 A I am not aware.

6 Q Would you agree with me that in the board's
7 communications with Richard Francis that Saybrook
8 was never copied on that correspondence, to your
9 knowledge?

10 A To my knowledge, they were not.

11 Q I'm going to show you what's been marked as
12 Exhibit 106.

13 A Okay.

14 Q Whose handwriting is this?

15 A So I'd have to go individually through it.
16 6/26/00 is me. The one that says "phone contact,"
17 I don't know. It's not me. 2/23/01 is me.
18 9/14/01 is Rick Cowen, who is a board member, and
19 the other two are me.

20 Q Are you aware of whether or not there would be
21 notes anywhere else other than on the front of
22 this folder?

23 A There might have been notes on a document that
24 sort of checks off licensure requirements.

1 from the board to Saybrook that confirmed that the
2 board was adopting any particular regulation
3 change, correct?

4 A Correct.

5 Q How long was Dennis Norman the chair of the board,
6 to your knowledge?

7 A One year.

8 Q That would be from 1997 to 1998, correct?

9 A Let me think for a second. It might have been '96
10 to '97. I'm not sure. There's a letter in here
11 from Cynthia Chase, so that will tell me. No, I
12 can't figure it out.

13 Q Okay. I'd like you to go back to Exhibit 111, and
14 just based on the review that you performed there
15 in response to my earlier questions, I just want
16 to be clear. Even if Saybrook was designated by
17 the ASPPB, based on the course work that you can
18 see from that exhibit, would you agree that Susan
19 Cooney would not be eligible to sit for a
20 licensure exam?

21 **MR. MORENBERG:** Objection.

22 A Yes.

23 Q Do you have any information that Saybrook knew
24 that Massachusetts regulations changed to require

1 that the program be designated by the AP --

2 A ASPPB/National Register.

3 Q Thank you -- in order to be licensed?

4 A I have no information about what Saybrook did or
5 didn't know.

6 **MS. GARCIA:** Just give me a moment. I'm
7 almost done. I just want to make sure.

8 (Pause.)

9 Q You have testified a couple of times that
10 especially earlier on, the board was not
11 necessarily consistent with the decisions it made
12 regarding its applicants, correct?

13 A Correct.

14 Q Would you agree with me that graduate schools, in
15 terms of psychology graduate programs, were not in
16 the position to know whether the board was
17 consistent in its decisions?

18 A I think that it kind of depends on whether you
19 have a large volume. So, for example, there are
20 some doctoral programs who may have applicants,
21 26, 35 a year applying to Massachusetts. They
22 would probably have a lot of information about
23 sort of the style that the application review was
24 taking and whether there were certain courses